REMARKS

Claims 1-42 are pending in the application and stand subject to a restriction requirement. Claims 1 and 17 have been amended. Claims 9-16 and 3-42 have been withdrawn. In response to the Restriction Requirement mailed June 30, 2006, applicants hereby elect to prosecute the claims of Group I with traverse. Applicants respectfully request rejoinder of the claims between Group I and Group III for the following reasons.

The Examiner has divided the claims into four groups, as follows:

Group I. Claims 1-8, drawn to methods of identifying genetic mutations;

Group II. Claims 9-16, drawn to isolated nucleic acids;

Group III. Claims 17-29, drawn to methods of screening for a predisposition for an ataxic neurological disease; and

Group IV. Claims 30-42, drawn to kits comprising primers.

The Examiner states that although the inventions of Group I and Group III share a common classification, the inventions have different objectives and require different process steps. The Examiner has taken the view that because the inventions require different text searches using different terms, the examination of the inventions together would impose a serious search burden. Applicants respectfully disagree.

Claims 1 and 17 have been amended to clarify the invention. Support for these amendments is found at least at page 5, lines 5-14; page 11, line 30, to page 12, line 22; and page 16, lines 28-30. Applicants wish to point out that the inventions of Group I (Claims 1-8) and Group III (Claims 17-29) are related. As stated in the specification, the identification of genetic mutations in a protein kinase C gamma gene facilitates the diagnosis of ataxic neurological disease and identification of carriers of the genetic defect (see, *e.g.*, specification at page 3, lines 12-17; and page 5, lines 15-22). Moreover, it is submitted that the prior art searches

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would be co-extensive between Group I and Group III as the claims all relate to methods of detecting mutations in a protein kinase C gamma gene and share a common classification. Therefore, a simultaneous search and examination of the claims of Group I and III would not impose any burden on the Examiner.

For the reasons described above, applicants respectfully request rejoinder between the claims of Group I and Group III. In the event that the claims of Group I and Group III are rejoined, applicants provisionally elect the species of the H101Y mutation (Claim 24) for the purpose of initial examination. However, in the event that the Examiner makes the restriction requirement final, applicants elect to prosecute the claims of Group I. Applicants reserve the right to pursue the non-elected claims in one or more subsequently filed divisional applications.

The Examiner is requested to contact applicants' representative at the telephone number below to discuss any issues that may facilitate prosecution of this application.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: August 14, 2006 Jeffrey Harbert

TJQ:jh

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